

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Damian Fiolka et al.	Art Unit	: 2872
Serial No.	: 10/580,698	Examiner	: Jade R. Callaway
Filed	: November 29, 2006	Confirmation No.:	5439
		Notice of Allowance Date: June 23, 2009	
Title	: POLARIZATION-MODULATING OPTICAL ELEMENT		

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicants recognize that, in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicants do not concede that the Examiner has accurately characterized any art or the subject matter covered by the claims. Nor do Applicants concede that the Examiner's stated reasons for allowance would be the only reasons for which the claims are allowable. In particular, Applicants do not concede that all of the identified limitations are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, all of the dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: July 27, 2009

/Sean P. Daley/

Sean P. Daley
Reg. No. 40,978

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945
22234807.doc

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: July 27, 2009